RULES AND ORDERS UNDER ACT I OF 1910

PRESS

APPOINTING OFFICERS TO WHOM COPIES OF NEWSPAPERS, ETC., BROUGHT INTO BRITISH INDIA TO BE FORWARDED

(a) Notn. No. 1931, J. D., 26th Feb. 1920, B. G., 1920, Pt. I, p. 614.

In exercise of the powers conferred by section 13 of the Indian Press Act, I of 1910, the Governor in Council is pleased to direct that copies of newspapers, books or other documents found in packages brought into British India which have been detained under the said section shall in future be forwarded to the following officers, namely :—

Packages detained at Bombay, to the Commissioner of Police, Bombay.

Packages detained at Karachi, to the Commissioner in Sind.

Packages detained at Aden, to the Political Resident, Aden.

APPOINTING OFFICERS TO WHOM ARTICLES DETAINED UNDER SECTION 15 AND COPIES OF NEWSPAPERS REQUIRED TO BE DELIVERED FREE BY SECTION 16, SHALL BE DELIVERED

Notn. No. 969, J. D., 16th Feb. 1910, B. G., 1910, Pt. I, p. 269 as amended by Notns. No. 1162, J. D., 18th Feb. 1915, and No. 1799,† J. D., 12th Mar. 1915.*

In exercise of the powers conferred by the Indian Press Act, 1910 (I of 1910), the Governor in Council is pleased to direct as follows :—

(*a*) Articles detained in course of transmission by post under section 15 of the said Act shall be delivered to the Deputy Inspector-General of Police, Criminal Investigation Department, Bombay, or in Sind to the Commissioner in Sind ;

(*b*) The copies of newspapers required by section 16 of the said Act to be delivered free of expense to Government shall be delivered by the printers to the Oriental Translator to Government at the Secretariat, or in Sind to the Commissioner in Sind at the Commissioner's Office, Karachi.

RULES UNDER THE ACT MADE BY THE HIGH COURT

Notn. No. 248, High Court, 11th Apr. 1910, B. G., 1910, Pt. I, p. 549.

The Honourable the Chief Justice and the Judges have been pleased to make the following rules under section 21 of the Indian Press Act, 1910 :—

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* Cancelled by Notn. No. 1931, J. D., 26th Feb. 1920.

† Clause (*a*) superseded by Notn. No. 1162, J. D., 18th Feb. 1915 which has subsequently been cancelled by Notn. No. 1931, J. D., 26th Feb. 1920.

(*a*) Government Notifications No. 1162, dated the 18th February 1915, and No. 1799, dated the 12th March 1915, are hereby cancelled.

Rules under section 21 of the Indian Press Act, 1910.

1. These rules may be cited as "The Rules under the Indian Press Act, 1910". They shall come into operation on the 15th day of April 1910, and shall apply to all applications made to, and all proceedings taken in, the High Court of Judicature at Bombay under the Indian Press Act, 1910, hereinafter referred to as "The Act".

2. Every application to the High Court, under section 17 of the Act, to set aside an order of forfeiture under section 4, 6, 9, 11 or 12, shall be made by the presentation of a petition which shall be signed by the applicant and verified at the foot by the affidavit of the applicant.

3. The petition shall be written in the English language on foolscap paper or other paper similar to it in size and quality, book-wise, and divided into paragraphs, numbered consecutively, dates and sums occurring in the petition shall be expressed in figures.

4. The petition shall be headed—

"In the High Court of Judicature at Bombay, Original Jurisdiction."

"In its Special Bench consisted under Act I of 1910" and shall be instituted "In the matter of the (name, if any) printing press or the (name or description) book, document or newspaper as the case may be."

5. The petition shall state what the interest of the applicant is in the property in respect of which the order of forfeiture has been made and all documents or copies thereof in proof of such interest together with a copy of the notice of forfeiture under section 4, 6, 9, 11 or 12 of the Act, as the case may be, shall be annexed as exhibits to the petition.

6. The petition shall state the ground or grounds on which it is sought to set aside the order of forfeiture.

7. All vernacular documents annexed as exhibits to the petition and all Vernacular documents relied on by the applicant and intended to be in evidence, shall be translated into English by an Official Translator, so that no question may arise as to the accuracy of the translations or the admissibility in evidence of the documents and the translations annexed to them by reason of defects in such translations.

8. The petition with exhibits annexed thereto and their translations, if any, together with a copy of such petition and exhibits with translations shall be presented to the Chief Justice, who will constitute a Special Bench and appoint a day for the hearing and determination of the application.

9. Notice in writing of the day appointed for the hearing and determination of the application, shall be given by the Prothonotary to the Chief Secretary to the Government of Bombay, and the copy of the petition and exhibits with translations, if any, in the last preceding rule mentioned, shall accompany such notice.

10. Printed paper books containing the petition and all exhibits annexed thereto with translations, shall be prepared in the manner prescribed by the rules for the preparation of paper books in appeals from

the High Court, and shall be delivered to the Prothonotary, by the applicant at least one week before the day fixed for the hearing and determination of the application.

11. There shall be ordinarily printed 15 copies of the paper book, but the Prothonotary may, when necessary, direct a large number to be printed.

12. The table of fees now in force in this Court in its Original Civil Jurisdiction shall be applicable to the applications under the Act and proceedings thereon, and costs payable in respect of such applications and proceedings shall be taxed, when so directed, by the Taxing Officer of this Court in its Original Jurisdiction.

13. The provisions of the Code of Civil Procedure and the rules and forms of this Court relating to execution of decrees and orders shall be applicable to the execution of orders passed by the High Court on applications under the Act.

RULES UNDER THE ACT MADE BY THE JUDICIAL COMMISSIONER OF SIND

Notn. No. A-1073, Judl. Commr., 27th July 1917, S. G., 1917, Pt. I., p. 976.

The Court of the Judicial Commissioner of Sind is pleased to make the following rules under section 21 of the Indian Press Act, I of 1910 :—

1. Application, under section 17, to set aside an order of forfeiture under sections, 4, 6, 9, 11 or 12 shall be made by petition signed by the applicant and verified in the manner provided for verification of pleadings by Order VI, Rule 14, Civil Procedure Code.

2. The petition shall be headed " In the Court of the Judicial Commissioner, High Court Jurisdiction ", and shall be entitled " In the matter of the Printing Press " or " the matter of the Book, Document or Newspaper " as the case may be.

3. The petition shall state the interest of the applicant in the property forfeited and the grounds on which it is sought to set aside the order of forefeiture.

4. There shall be annexed to the petition—

(*a*) affidavit and other documents in proof of the petitioner's interest,

(*b*) copy of the order of forfeiture.

5. Notice of the date of hearing shall be given to the Commissioner in Sind, accompanied with the copy of the petition and annexures with translations. Such notice shall be given after deposit of a sum sufficient to cover the estimated cost of copies and translations to be bound together in paper books,—one for the applicant, one for the Government Pleader and one for each of the Judges.

6. Every such petition shall be heard and determined by a Full Bench.

7. Costs shall be taxed as in a miscellaneous civil proceeding.

8. Orders passed on such petitions shall be executed in the manner provided by the Civil Procedure Code and the rules and forms of this Court relating to the execution of decrees.